

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHWESTERN DIVISION**

**APRIL HOLYFIELD o/b/o
D.H.,**

Plaintiff,

v.

**MICHAEL J. ASTRUE,
Commissioner of Social Security,**

Defendant.

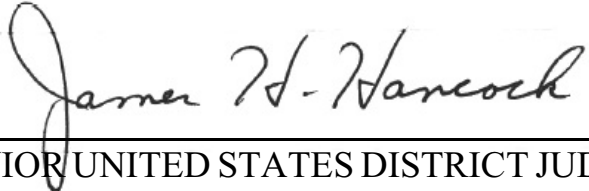
Case No.: 3:08-CV-834-JHH

MEMORANDUM OPINION AND ORDER

The court has before it the June 30, 2011 Motion (Doc. #20) to Affirm the Commissioner's Decision and for Entry of Judgment under Rule 58 of the Federal Rules of Civil Procedure filed by Defendant the Commissioner of the Social Security Administration. On July 20, 2009, the court remanded this case pursuant to sentences four and six of 42 U.S.C. § 405(g). (Doc. #15.) Despite the entry of judgment remanding the case, this court retained jurisdiction because the remand was a "dual basis remand case." See Jackson v. Chater, 99 F.3d 1086, 1096-97 (11th Cir. 1996) (citing Melkonyan v. Sullivan, 501 U.S. 89, 102 (1991)). On remand, the Commissioner issued a favorable decision on April 7, 2011, (see Attachment to Doc. #20), and now the court must enter another judgment terminating the case, insofar as

it relates to the sentence-six remand. See Jackson, 99 F.3d at 1097. Therefore, the Motion (Doc. #20) is **GRANTED** and the court will enter such judgment by separate order.

DONE this the 12th day of July, 2011.



SENIOR UNITED STATES DISTRICT JUDGE